

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

51536

Morton & Craig LLC
William E. Craig, Esquire
110 Marter Avenue
Suite 301
Moorestown, NJ 08057
Attorney for Hyundai Lease Titling Trust

Order Filed on September 11, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No. 19-32377

In Re:

Adv. No.

THOMAS P. MCCABE
ADRIANA M. MCCABE

Hearing Date: 9-1-20

Judge: (ABA)

**ORDER FOR ARREARAGE CURE, STAY RELIEF UNDER CERTAIN CIRCUMSTANCES,
INSURANCE, COUNSEL FEES, AND SELF-EXECUTING STAY RELIEF AT LEASE END**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: September 11, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtors: Thomas and Adriana McCabe

Case No: 19-32377

Caption of Order: Order for arrearage cure, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

This matter having brought before this Court on a Motion For Stay Relief filed by John R. Morton, Jr., Esq., attorney for Hyundai Lease Titling Trust (“Hyundai”), with the appearance of Thomas E. Dowey, Esq. on behalf of the Debtors, and this Order having been filed with the Court and served upon the Debtors and their attorney under the seven day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That Hyundai is the owner and lessor of a 2018 Kia Sportage bearing vehicle identification number KNDPNCAC1J7397768.**
- 2. That the Debtors' account has arrears in the amount of \$1,675.89 through July 2020.**
- 3. That the Debtors are to cure this arrearage as follows:**
 - a. The Debtors are to make a payment of \$1,675.89 to Hyundai by September 16, 2020 or Hyundai shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**
 - b. Following the payment set forth in paragraph 3(a) above, the Debtors are to make their regular monthly payment of \$378.64 plus an additional \$126.21 (for a total monthly payment of \$504.85) for the months of September 2020 through November 2020.**
- 4. That commencing September 2020, if the Debtors fail to make any payment to Hyundai within thirty (30) days after it falls due, Hyundai shall be entitled to stay relief upon filing a certification of non-payment with the Court and serving it on the Debtors, their attorney, and the Chapter 13 Trustee.**

(Page 3)

Debtors: Thomas and Adriana McCabe

Case No: 19-32377

Caption of Order: Order for arrearage cure, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

- 5. That the Debtors must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Hyundai Lease Titling Trust must be listed as loss payee. If the Debtors fail to maintain valid insurance on the vehicle, Hyundai shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtors, their attorney, and the Chapter 13 Trustee.**
- 6. That at the end of the lease the Debtors must either surrender the vehicle or purchase it in accordance with the lease end purchase option. Upon lease maturity, Hyundai shall be entitled to immediate stay relief and may repossess (if necessary) and sell said vehicle without further application to the Court. The terms of this paragraph are deemed to be self-executing in nature.**
- 7. That the Debtors are to pay a counsel fee of \$431.00 to Hyundai Lease Titling Trust through their Chapter 13 plan.**